

MAR 10 2006
Place On Calendar

HOUSE FILE 2738
BY COMMITTEE ON HUMAN RESOURCES

(SUCCESSOR TO HSB 647)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to programs and functions under the purview of
2 the Iowa department of public health.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2738

1 Section 1. Section 135.2, Code 2005, is amended to read as
2 follows:

3 135.2 APPOINTMENT OF DIRECTOR AND ACTING DIRECTOR.

4 1. a. The governor shall appoint the director of the
5 department, subject to confirmation by the senate. The
6 director shall serve at the pleasure of the governor. The
7 director is exempt from the merit system provisions of chapter
8 8A, subchapter IV. The governor shall set the salary of the
9 director within the range established by the general assembly.
10 b. The director shall possess education and experience in
11 public health.

12 2. The director may appoint an employee of the department
13 to be acting director, who shall have all the powers and
14 duties possessed by the director. The director may appoint
15 more than one acting director but only one acting director
16 shall exercise the powers and duties of the director at any
17 time.

18 Sec. 2. NEW SECTION. 135.12 OFFICE OF MULTICULTURAL
19 HEALTH -- ESTABLISHED -- DUTIES.

20 The office of multicultural health is established within
21 the department. The office shall be responsible for all of
22 the following:

23 1. Providing comprehensive management strategies to
24 address culturally and linguistically appropriate services,
25 including strategic goals, plans, policies, and procedures,
26 and designating staff responsible for implementation.

27 2. Requiring and arranging for ongoing education and
28 training for administrative, clinical, and other appropriate
29 staff in culturally and linguistically competent health care
30 and service delivery.

31 3. Utilizing formal mechanisms for community and consumer
32 involvement and coordinating with other state agencies to
33 identify resources and programs that affect the health service
34 delivery systems.

35 Sec. 3. Section 135.63, subsection 2, paragraphs 1 and o,

1 Code 2005, are amended to read as follows:

2 1. The replacement or modernization of any institutional
3 health facility if the replacement or modernization does not
4 add new health services or additional bed capacity for
5 existing health services, notwithstanding any provision in
6 this division to the contrary. This exclusion is applicable
7 only if the institutional health facility ceases offering the
8 health services simultaneously with the initiation of the
9 offering of the health services by the replacement
10 institutional health facility or the modernized institutional
11 health facility.

12 o. The change in ownership, licensure, organizational
13 structure, or designation of the type of institutional health
14 facility if the health services offered by the successor
15 institutional health facility are unchanged. This exclusion
16 is applicable only if the institutional health facility
17 consents to the change in ownership, licensure, organizational
18 structure, or designation of the type of institutional health
19 facility and ceases offering the health services
20 simultaneously with the initiation of the offering of health
21 services by the successor institutional health facility.

22 Sec. 4. Section 135.140, subsection 6, paragraph a, Code
23 Supplement 2005, is amended by adding the following new
24 subparagraphs:

25 NEW SUBPARAGRAPH. (6) A natural occurrence or incident,
26 including but not limited to fire, flood, storm, drought,
27 earthquake, tornado, or windstorm.

28 NEW SUBPARAGRAPH. (7) A man-made occurrence or incident,
29 including but not limited to an attack, spill, or explosion.

30 Sec. 5. NEW SECTION. 136D.5 LIMITATION -- MINORS.

31 A tanning facility shall prohibit access to a tanning
32 device by children younger than fifteen years of age, and
33 shall permit access to a tanning device by children fifteen
34 through seventeen years of age only when parental consent has
35 been obtained prior to utilization of the tanning device. The

1 department shall by rule establish procedures relating to age
2 verification by tanning facility personnel, and the form and
3 manner in which parental consent shall be obtained and
4 verified. The rules shall require that a tanning facility
5 post a sign in a conspicuous location readily visible to
6 persons entering the facility, and a sign for each tanning
7 device in a conspicuous location readily visible to a person
8 preparing to use the device, clearly indicating the age
9 restrictions and parental consent requirements.

10 Sec. 6. NEW SECTION. 139A.13A ISOLATION OR QUARANTINE --
11 EMPLOYMENT PROTECTION.

12 1. An employer shall not discharge an employee, or take or
13 fail to take action regarding an employee's promotion or
14 proposed promotion, or take action to reduce an employee's
15 wages or benefits for actual time worked, due to the
16 compliance of an employee with a quarantine or isolation order
17 issued by the department or a local board.

18 2. An employee whose employer violates this section may
19 petition the court for imposition of a cease and desist order
20 against the person's employer and for reinstatement to the
21 person's previous position of employment. This section does
22 not create a private cause of action for relief of money
23 damages.

24 Sec. 7. Section 147.82, subsection 3, Code Supplement
25 2005, is amended to read as follows:

26 3. The department may annually retain and expend not more
27 than one hundred thousand dollars for reduction of the number
28 of days necessary to process medical license requests and for
29 reduction of the number of days needed for consideration of
30 malpractice cases from fees collected pursuant to section
31 147.80 by the board of medical examiners ~~in-the-fiscal-year~~
32 ~~beginning-July-17-2005,-and-ending-June-30,-2006.~~ Fees
33 retained by the department pursuant to this subsection shall
34 be considered repayment receipts as defined in section 8.2 and
35 shall be used for the purposes described in this subsection.

1 Sec. 8. Section 148.2, subsection 5, Code 2005, is amended
2 to read as follows:

3 5. Physicians and surgeons of the United States army,
4 navy, or air force, marines, public health service, or other
5 uniformed service when acting in the line of duty in this
6 state, and holding a current, active permanent license in good
7 standing in another state, district, or territory of the
8 United States, or physicians and surgeons licensed in another
9 state, when incidentally called into this state in
10 consultation with a physician and surgeon licensed in this
11 state.

12 Sec. 9. NEW SECTION. 154E.3A TEMPORARY LICENSE.

13 Beginning July 1, 2007, an individual who does not meet the
14 requirements for licensure by examination pursuant to section
15 154E.3 may apply for or renew a temporary license. The
16 temporary license shall authorize the licensee to practice as
17 a sign language interpreter or transliterator under the direct
18 supervision of a sign language interpreter or transliterator
19 licensed pursuant to section 154E.3. The temporary license
20 shall be valid for two years and may only be renewed one time
21 in accordance with standards established by rule. An
22 individual shall not practice for more than a total of four
23 years under a temporary license. The board may revoke a
24 temporary license if it determines that the temporary licensee
25 has violated standards established by rule. The board may
26 adopt requirements for temporary licensure to implement this
27 section.

28 Sec. 10. Section 154E.4, subsection 2, Code Supplement
29 2005, is amended by adding the following new paragraph:

30 NEW PARAGRAPH. e. Students enrolled in a school of
31 interpreting may interpret only under the direct supervision
32 of a permanently licensed interpreter as part of the student's
33 course of study.

34 Sec. 11. Section 157.13, subsection 1, Code Supplement
35 2005, is amended by striking the subsection and inserting in

1 lieu thereof the following:

2 1. It is unlawful for a person to employ an individual to
3 practice cosmetology arts and sciences unless that individual
4 is licensed or has obtained a temporary permit under this
5 chapter. It is unlawful for a licensee to practice with or
6 without compensation in any place other than a licensed salon,
7 a licensed school of cosmetology arts and sciences, or a
8 licensed barbershop as defined in section 158.1. The
9 following exceptions to this subsection shall apply:

10 a. A licensee may practice at a location which is not a
11 licensed salon, school of cosmetology arts and sciences, or
12 licensed barbershop under extenuating circumstances arising
13 from physical or mental disability or death of a customer.

14 b. Notwithstanding section 157.12, when the licensee is
15 employed by a physician and provides cosmetology services at
16 the place of practice of a physician and is under the
17 supervision of a physician licensed to practice pursuant to
18 chapter 148, 150, or 150A.

19 c. When the practice occurs in a facility licensed
20 pursuant to chapter 135B or 135C.

21 Sec. 12. Section 157.13, Code Supplement 2005, is amended
22 by adding the following new subsection:

23 NEW SUBSECTION. 1A. It is unlawful for a licensee to
24 claim to be a licensed barber, however a licensed
25 cosmetologist may work in a licensed barbershop. It is
26 unlawful for a person to employ a licensed cosmetologist,
27 esthetician, or electrologist to perform the services
28 described in section 157.3A if the licensee has not received
29 the additional training and met the other requirements
30 specified in section 157.3A.

31 Sec. 13. Section 272C.1, subsection 6, Code Supplement
32 2005, is amended by adding the following new paragraph:

33 NEW PARAGRAPH. ad. The director of public health in
34 certifying emergency medical care providers and emergency
35 medical care services pursuant to chapter 147A.

1 Sec. 14. Section 691.6, Code Supplement 2005, is amended
2 by adding the following new subsection:

3 NEW SUBSECTION. 8. To retain tissues, organs, and bodily
4 fluids as necessary to determine the cause and manner of death
5 or as deemed advisable by the state medical examiner for
6 medical or public health investigation, teaching, or research.
7 Tissues, organs, and bodily fluids shall be properly disposed
8 of by following procedures and precautions for handling
9 biologic material and blood-borne pathogens as established by
10 rule.

11 Sec. 15. 2004 Iowa Acts, chapter 1175, section 432,
12 subsection 3, is amended to read as follows:

13 3. Applicants issued a temporary license pursuant to this
14 section shall pass a licensure examination approved by the
15 board on or before July 1, 2007, in order to ~~remain-licensed~~
16 as-an-interpreter qualify to be licensed by examination.

17 EXPLANATION

18 This bill modifies several provisions relating to programs
19 and functions under the purview of the Iowa department of
20 public health.

21 The bill provides for the appointment of one or more acting
22 directors by the director of the department who may exercise
23 the powers and duties of the director.

24 The bill amends two current exceptions to the certificate
25 of need program requirement that approval be obtained prior to
26 offering certain new or changed institutional health services.
27 With regard to the exception relating to replacement or
28 modernization of an institutional health facility if the
29 replacement or modernization does not add new health services
30 or additional bed capacity for existing health services, the
31 bill provides that the exclusion applies only if the health
32 facility ceases offering the health services simultaneously
33 with the initiation of the offering of the health services by
34 the replacement institutional health facility or the
35 modernized institutional health facility. With regard to the

1 exception relating to a change in ownership, licensure,
2 organizational structure, or designation of the type of
3 institutional health facility if the health services offered
4 by the successor institutional health facility are unchanged,
5 the bill provides that the exclusion applies only if the
6 health facility consents to the change and ceases offering the
7 health services simultaneously with the initiation of the
8 offering of the health services by the successor institutional
9 health facility.

10 The bill amends the definition of a public health disaster
11 to include a natural or man-made disaster event, and creates a
12 new office of multicultural health to address the provision of
13 culturally and linguistically competent health care and
14 service delivery. The bill also establishes employment
15 protection in the event of an isolation or quarantine order
16 issued by the department.

17 The bill provides new restrictions regarding use of tanning
18 devices, specifying that a tanning facility shall prohibit
19 children under the age of 15 from using such devices, and
20 permit children ages 15 through 17 to use them only with
21 parental consent.

22 The bill adds the military service branches of the air
23 force and marines, and a general category of other uniformed
24 service personnel to the categories of military or public
25 health service physicians or surgeons who, when acting in the
26 line of duty in Iowa, need not be licensed in this state as a
27 physician or surgeon, provided that a current, active license
28 in another state is possessed.

29 The bill also makes provision for a temporary license to
30 practice as a sign language interpreter or transliterator
31 under the direct supervision of a licensed sign language
32 interpreter or transliterator in this state for a specified
33 duration, and adds an exception to license requirements for
34 students working under the direct supervision of a licensed
35 interpreter.

1 With regard to prohibitions against the practice of
2 cosmetology arts and sciences in a place other than a licensed
3 salon, licensed school of cosmetology arts and sciences, or
4 licensed barbershop, the bill provides that the prohibition
5 does not apply when a licensee is employed by a licensed
6 physician and provides cosmetology services at the place of
7 practice of a physician and is under the supervision of a
8 physician, or when the practice occurs at a hospital or health
9 care facility. The bill adds certification of emergency
10 medical care providers and emergency medical care services
11 pursuant to Code chapter 147A by the director of the
12 department to the list of boards or activities governed by the
13 professional licensing standards imposed by Code chapter 272C.

14 Additionally, the bill provides for the authority of the
15 office of the state medical examiner to retain tissues,
16 organs, and bodily fluids as necessary to determine the cause
17 and manner of death, or as deemed advisable by the state
18 medical examiner for medical or public health investigation,
19 teaching, or research.

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HOUSE FILE 2738

H-8242

1 Amend House File 2738 as follows:
2 1. Page 6, by inserting after line 10 the
3 following:
4 "Sec. ____ . Section 714.16, subsection 1, paragraph
5 o, Code 2005, is amended to read as follows:
6 o. "Water treatment system" means a device or
7 assembly for which a claim is made that it will
8 improve the quality of drinking water by reducing one
9 or more contaminants through mechanical, physical,
10 chemical, or biological processes or combinations of
11 the processes. As used in this paragraph and in
12 subsection 2, paragraph "h", each model of a water
13 treatment system shall be deemed a distinct water
14 treatment system. As used in this paragraph and in
15 subsection 2, paragraph "h", a water treatment system
16 does not include a portable filtration system
17 certified as a microbiological water purifier by the
18 United States environmental protection agency. The
19 Iowa department of public health shall establish rules
20 exempting portable filtration systems that meet these
21 standards."
22 2. By renumbering as necessary.

By LALK of Fayette

H-8242 FILED MARCH 14, 2006

HOUSE FILE 2738

H-8244

1 Amend House File 2738 as follows:
2 1. Page 3, line 9, by inserting after the word
3 "requirements." the following: "The age restrictions
4 and parental consent requirements otherwise applicable
5 pursuant to this section shall be waived if
6 utilization of a tanning device by a minor is
7 authorized pursuant to a prescription by a physician
8 licensed pursuant to chapter 148, 150, or 150A."

By ROBERTS of Carroll
HEDDENS of Story

H-8244 FILED MARCH 14, 2006

*Roberts
Thildredyke
Lange*

HSB 647
HUMAN RESOURCES

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
PUBLIC HEALTH BILL)

SUCCESSOR BY
SF 10 2738

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to programs and functions under the purview of
2 the Iowa department of public health.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 135.2, Code 2005, is amended to read as
2 follows:

3 135.2 APPOINTMENT OF DIRECTOR AND ACTING DIRECTOR.

4 1. a. The governor shall appoint the director of the
5 department, subject to confirmation by the senate. The
6 director shall serve at the pleasure of the governor. The
7 director is exempt from the merit system provisions of chapter
8 8A, subchapter IV. The governor shall set the salary of the
9 director within the range established by the general assembly.

10 b. The director shall possess education and experience in
11 public health.

12 2. The director may appoint an employee of the department
13 to be acting director, who shall have all the powers and
14 duties possessed by the director. The director may appoint
15 more than one acting director but only one acting director
16 shall exercise the powers and duties of the director at any
17 time.

18 Sec. 2. NEW SECTION. 135.12 OFFICE OF MULTICULTURAL
19 HEALTH -- ESTABLISHED -- DUTIES.

20 The office of multicultural health is established within
21 the department. The office shall be responsible for all of
22 the following:

23 1. Providing comprehensive management strategies to
24 address culturally and linguistically appropriate services,
25 including strategic goals, plans, policies, and procedures,
26 and designating staff responsible for implementation.

27 2. Requiring and arranging for ongoing education and
28 training for administrative, clinical, and other appropriate
29 staff in culturally and linguistically competent health care
30 and service delivery.

31 3. Utilizing formal mechanisms for community and consumer
32 involvement and coordinating with other state agencies to
33 identify resources and programs that affect the health service
34 delivery systems.

35 Sec. 3. Section 135.63, subsection 2, paragraphs 1 and o,

1 Code 2005, are amended to read as follows:

2 1. The replacement or modernization of any institutional
3 health facility if the replacement or modernization does not
4 add new health services or additional bed capacity for
5 existing health services, notwithstanding any provision in
6 this division to the contrary. This exclusion is applicable
7 only if the institutional health facility ceases offering the
8 health services simultaneously with the initiation of the
9 offering of the health services by the replacement
10 institutional health facility or the modernized institutional
11 health facility.

12 o. The change in ownership, licensure, organizational
13 structure, or designation of the type of institutional health
14 facility if the health services offered by the successor
15 institutional health facility are unchanged. This exclusion
16 is applicable only if the institutional health facility
17 consents to the change in ownership, licensure, organizational
18 structure, or designation of the type of institutional health
19 facility and ceases offering the health services
20 simultaneously with the initiation of the offering of health
21 services by the successor institutional health facility.

22 Sec. 4. Section 135.140, subsection 6, paragraph a, Code
23 Supplement 2005, is amended by adding the following new
24 subparagraphs:

25 NEW SUBPARAGRAPH. (6) A natural occurrence or incident,
26 including but not limited to fire, flood, storm, drought,
27 earthquake, tornado, or windstorm.

28 NEW SUBPARAGRAPH. (7) A man-made occurrence or incident,
29 including but not limited to an attack, spill, or explosion.

30 Sec. 5. NEW SECTION. 139A.13A ISOLATION OR QUARANTINE --
31 EMPLOYMENT PROTECTION.

32 1. An employer shall not discharge an employee, or take or
33 fail to take action regarding an employee's promotion or
34 proposed promotion, or take action to reduce an employee's
35 wages or benefits for actual time worked, due to the

1 compliance of an employee with a quarantine or isolation order
2 issued by the department or a local board.

3 2. An employee whose employer violates this section may
4 petition the court for imposition of a cease and desist order
5 against the person's employer and for reinstatement to the
6 person's previous position of employment.

7 Sec. 6. Section 147.82, subsection 3, Code Supplement
8 2005, is amended to read as follows:

9 3. The department may annually retain and expend not more
10 than one hundred thousand dollars for reduction of the number
11 of days necessary to process medical license requests and for
12 reduction of the number of days needed for consideration of
13 malpractice cases from fees collected pursuant to section
14 147.80 by the board of medical examiners ~~in-the-fiscal-year~~
15 ~~beginning-July-17-2005,-and-ending-June-30,-2006~~. Fees
16 retained by the department pursuant to this subsection shall
17 be considered repayment receipts as defined in section 8.2 and
18 shall be used for the purposes described in this subsection.

19 Sec. 7. Section 148.2, subsection 5, Code 2005, is amended
20 to read as follows:

21 5. Physicians and surgeons of the United States army,
22 navy, or air force, marines, public health service, or other
23 uniformed service when acting in the line of duty in this
24 state, and holding a current, active permanent license in good
25 standing in another state, district, or territory of the
26 United States, or physicians and surgeons licensed in another
27 state, when incidentally called into this state in
28 consultation with a physician and surgeon licensed in this
29 state.

30 Sec. 8. NEW SECTION. 154E.3A TEMPORARY LICENSE.

31 Beginning July 1, 2007, an individual who does not meet the
32 requirements for licensure by examination pursuant to section
33 154E.3 may apply for or renew a temporary license. The
34 temporary license shall authorize the licensee to practice as
35 a sign language interpreter or transliterator under the direct

1 supervision of a sign language interpreter or transliterator
2 licensed pursuant to section 154E.3. The temporary license
3 shall be valid for two years and may only be renewed one time
4 in accordance with standards established by rule. An
5 individual shall not practice for more than a total of four
6 years under a temporary license. The board may revoke a
7 temporary license if it determines that the temporary licensee
8 has violated standards established by rule. The board may
9 adopt requirements for temporary licensure to implement this
10 section.

11 Sec. 9. Section 154E.4, subsection 2, Code Supplement
12 2005, is amended by adding the following new paragraph:

13 NEW PARAGRAPH. e. Students enrolled in a school of
14 interpreting may interpret only under the direct supervision
15 of a permanently licensed interpreter as part of the student's
16 course of study.

17 Sec. 10. Section 157.13, subsection 1, Code Supplement
18 2005, is amended by striking the subsection and inserting in
19 lieu thereof the following:

20 1. It is unlawful for a person to employ an individual to
21 practice cosmetology arts and sciences unless that individual
22 is licensed or has obtained a temporary permit under this
23 chapter. It is unlawful for a licensee to practice with or
24 without compensation in any place other than a licensed salon,
25 a licensed school of cosmetology arts and sciences, or a
26 licensed barbershop as defined in section 158.1. The
27 following exceptions to this subsection shall apply:

28 a. A licensee may practice at a location which is not a
29 licensed salon, school of cosmetology arts and sciences, or
30 licensed barbershop under extenuating circumstances arising
31 from physical or mental disability or death of a customer.

32 b. Notwithstanding section 157.12, when the licensee is
33 employed by a physician and provides cosmetology services at
34 the place of practice of a physician and is under the
35 supervision of a physician licensed to practice pursuant to

1 chapter 148, 150, or 150A.

2 c. When the practice occurs in a facility licensed
3 pursuant to chapter 135B or 135C.

4 Sec. 11. Section 157.13, Code Supplement 2005, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 1A. It is unlawful for a licensee to
7 claim to be a licensed barber, however a licensed
8 cosmetologist may work in a licensed barbershop. It is
9 unlawful for a person to employ a licensed cosmetologist,
10 esthetician, or electrologist to perform the services
11 described in section 157.3A if the licensee has not received
12 the additional training and met the other requirements
13 specified in section 157.3A.

14 Sec. 12. Section 272C.1, subsection 6, Code Supplement
15 2005, is amended by adding the following new paragraph:

16 NEW PARAGRAPH. ad. The director of public health in
17 certifying emergency medical care providers and emergency
18 medical care services pursuant to chapter 147A.

19 Sec. 13. Section 272C.6, subsection 4, unnumbered
20 paragraph 1, Code Supplement 2005, is amended to read as
21 follows:

22 In order to assure a free flow of information for
23 accomplishing the purposes of this section, and
24 notwithstanding section 622.10, all complaint files,
25 investigation files, other investigation reports, and other
26 investigative information in the possession of a licensing
27 board or peer review committee acting under the authority of a
28 licensing board or its employees or agents which relates to
29 licensee discipline are privileged and confidential, and are
30 not subject to discovery, subpoena, or other means of legal
31 compulsion for their release to a person other than the
32 licensee and the boards, their employees and agents involved
33 in licensee discipline, and are not admissible in evidence in
34 a judicial or administrative proceeding other than the
35 proceeding involving licensee discipline. However,

1 investigative information in the possession of a licensing
2 board or its employees or agents which relates to licensee
3 discipline may be disclosed to appropriate licensing
4 authorities within this state, the appropriate licensing
5 authority in another state, the coordinated licensure
6 information system provided for in the nurse licensure compact
7 contained in section 152E.1 or the advanced practice
8 registered nurse compact contained in section 152E.3, the
9 District of Columbia, or a territory or country in which the
10 licensee is licensed or has applied for a license. If the
11 investigative information in the possession of a licensing
12 board or its employees or agents indicates a crime has been
13 committed, the information shall be reported to the proper law
14 enforcement agency. ~~However, a final written decision and~~
15 ~~finding of fact of a licensing board in a disciplinary~~
16 ~~proceeding, including a decision referred to in section~~
17 ~~272C.3, subsection 4, is a public record.~~ A licensing board
18 is not precluded by this chapter from including investigative
19 information in a short and plain statement of the matters
20 asserted in a notice filed to commence a contested case
21 pursuant to section 17A.12, or from including investigative
22 information in a brief statement of findings of fact,
23 conclusions of law, and policy reasons when issuing an
24 emergency adjudicative order pursuant to section 17A.18A.
25 Documents issued by a licensing board pursuant to sections
26 17A.12 and 17A.18A, and a final written decision and findings
27 of fact of a licensing board in a disciplinary proceeding,
28 including a decision referred to in section 272C.3, subsection
29 4, are public records.

30 Sec. 14. Section 691.6, Code Supplement 2005, is amended
31 by adding the following new subsection:

32 NEW SUBSECTION. 8. To retain tissues, organs, and bodily
33 fluids as necessary to determine the cause and manner of death
34 or as deemed advisable by the state medical examiner for
35 medical or public health investigation, teaching, or research.

1 Tissues, organs, and bodily fluids shall be properly disposed
2 of by following procedures and precautions for handling
3 biologic material and blood-borne pathogens as established by
4 rule.

5 Sec. 15. 2004 Iowa Acts, chapter 1175, section 432,
6 subsection 3, is amended to read as follows:

7 3. Applicants issued a temporary license pursuant to this
8 section shall pass a licensure examination approved by the
9 board on or before July 1, 2007, in order to ~~remain-licensed~~
10 as-an-interpreter qualify to be licensed by examination.

11 EXPLANATION

12 This bill modifies several provisions relating to programs
13 and functions under the purview of the Iowa department of
14 public health.

15 The bill provides for the appointment of one or more acting
16 directors by the director of the department who may exercise
17 the powers and duties of the director.

18 The bill amends two current exceptions to the certificate
19 of need program requirement that approval be obtained prior to
20 offering certain new or changed institutional health services.
21 With regard to the exception relating to replacement or
22 modernization of an institutional health facility if the
23 replacement or modernization does not add new health services
24 or additional bed capacity for existing health services, the
25 bill provides that the exclusion applies only if the health
26 facility ceases offering the health services simultaneously
27 with the initiation of the offering of the health services by
28 the replacement institutional health facility or the
29 modernized institutional health facility. With regard to the
30 exception relating to a change in ownership, licensure,
31 organizational structure, or designation of the type of
32 institutional health facility if the health services offered
33 by the successor institutional health facility are unchanged,
34 the bill provides that the exclusion applies only if the
35 health facility consents to the change and ceases offering the

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1 health services simultaneously with the initiation of the
2 offering of the health services by the successor institutional
3 health facility.

4 The bill amends the definition of a public health disaster
5 to include a natural or man-made disaster event, and creates a
6 new office of multicultural health to address the provision of
7 culturally and linguistically competent health care and
8 service delivery. The bill also establishes employment
9 protection in the event of an isolation or quarantine order
10 issued by the department.

11 The bill adds the military service branches of the air
12 force and marines, and a general category of other uniformed
13 service personnel to the categories of military or public
14 health service physicians or surgeons who, when acting in the
15 line of duty in Iowa, need not be licensed in this state as a
16 physician or surgeon, provided that a current, active license
17 in another state is possessed.

18 The bill also makes provision for a temporary license to
19 practice as a sign language interpreter or transliterator
20 under the direct supervision of a licensed sign language
21 interpreter or transliterator in this state for a specified
22 duration, and adds an exception to license requirements for
23 students working under the direct supervision of a licensed
24 interpreter.

25 With regard to prohibitions against the practice of
26 cosmetology arts and sciences in a place other than a licensed
27 salon, licensed school of cosmetology arts and sciences, or
28 licensed barbershop, the bill provides that the prohibition
29 does not apply when a licensee is employed by a licensed
30 physician and provides cosmetology services at the place of
31 practice of a physician and is under the supervision of a
32 physician, or when the practice occurs at a hospital or health
33 care facility. The bill adds certification of emergency
34 medical care providers and emergency medical care services
35 pursuant to Code chapter 147A by the director of the

1 department to the list of boards or activities governed by the
2 professional licensing standards imposed by Code chapter 272C.

3 Additionally, the bill provides for the authority of the
4 office of the state medical examiner to retain tissues,
5 organs, and bodily fluids as necessary to determine the cause
6 and manner of death, or as deemed advisable by the state
7 medical examiner for medical or public health investigation,
8 teaching, or research. Finally, the bill specifies that
9 documents issued by a licensing board pursuant to Code
10 sections 17A.12 and 17A.18A, and a final written decision and
11 finding of fact of a licensing board in a disciplinary
12 proceeding, including a decision referred to in Code section
13 272C.3, subsection 4, are public records.

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